

IN THE MATTER OF THE APPOINTMENT/AUTHORIZATION OF:

Order Appointing/Authorizing Circuit Court Commissioner

_____ as Circuit Court Commissioner

State Bar No.: _____

IT IS ORDERED:

- 1. The above-named person is:
- [] appointed a circuit court commissioner for the above-named county under SCR 75.02(1). This person must be an attorney with at least 3 years of legal experience.
- [] authorized under SCR 75.02(3), as a supplemental court commissioner for the above-named county, to perform specific duties as set forth below on a temporary or occasional basis. This person must:
 - be an attorney, with at least 3 years of legal experience, and
 - have been appointed a supplemental court commissioner under §757.675(1) Wis. Stats.
- [] appointed to supervise the office of family court commissioner for the county under §757.68 (2m) (a) 1, or (b) Wis. Stats.
2. This appointment/authorization shall:
- [] be from (date) _____ to (date) _____; or
- [] commence on (date) _____ and be subject to annual recertification.
3. The Honorable _____ is/are appointed supervising judge(s) for the circuit court commissioner and shall:
- communicate responsibilities and performance objectives, and
- conduct annual written evaluations, and
- submit annual written recertification recommendations.
4. This circuit court commissioner shall:
- [] Have all the powers and duties specified in "a" through "i" below, which are authorized by SCO 97-10.
- [] Have only the following specific duties (check all boxes that apply in "a" through "i"), which are authorized by SCO 97-10.
 - [] a. When assigned to assist a court in juvenile matters:
 - [] The powers of a circuit court commissioner under §757.69(1)(g) Wis. Stats.
 - [] Issue summonses and warrants, order the release or detention of children apprehended, conduct detention and shelter care hearings, conduct preliminary appearances, conduct uncontested proceedings under §§48.13, 48.133, 938.12, 938.13, and 938.18, Wis. Stats.
 - [] Enter into consent decrees and conduct hearings, make findings, and issue orders in proceedings under §§813.122 or 813.125, Wis. Stats., in which the respondent is a child.
 - [] b. When assigned to assist in matters affecting the family.
 - [] The powers of a circuit court commissioner under §757.69(1)(p), Wis. Stats.
 - [] The powers under §767.242, Wis. Stats.
 - CAVEAT: Pursuant to Wis. Stats. §757.675(5) and 767.40 and chapter 785, a sanction for contempt must be imposed by a judge or a court of record.
 - [] c. In Traffic Regulation and County Ordinance cases:
 - [] Conduct initial appearances and receive uncontested forfeiture pleas.
 - [] Order the revocation or suspension of operating privileges and impose monetary penalties according to approved schedules.
 - [] Refer applicable cases to court for enforcement for nonpayment.

- d. In Small Claims Matters under Chapter 799, Wis. Stats.:**
 - Conduct return date proceedings and settlement conferences.
 - Grant and enter default judgments and approve stipulations.
 - Conduct conferences and hearings with the parties or their attorneys, or both, on the original or adjourned return dates.
 - Issue decisions, which shall become judgments under §799.207(2), Wis. Stats.

- e. In Probate Matters:**
 - Conduct noncontested proceedings.
 - Hear petitions for commitment and conduct probable cause hearings under §§51.20, 51.45, and 55.06(11), Wis. Stats.
 - Conduct reviews of guardianships and protective placements and protective services under Chs. 55 and 880, Wis. Stats.
 - Advise persons alleged to be mentally ill under Chs. 51, 55, or 880, Wis. Stats., of their rights under the United States and Wisconsin constitutions.
 - Refer persons under Chs. 51, 55, or 880, Wis Stats., who claim or appear to be indigent to the State Public Defender for indigency evaluation, or if the person is a child, for appointment of counsel for the child without a determination of indigency, as provided in §48.23(4), Wis. Stats.

- f. In Child Abuse and Vulnerable Adult Injunction Proceedings:**
 - Conduct hearings, make findings, and issue temporary restraining orders under §§813.122 and 813.123, Wis. Stats.

- g. In Domestic Abuse and Harassment Injunction Proceedings:**
 - Conduct hearings, make findings, and issue temporary restraining orders and injunctions under §§813.12 and 813.125, Wis. Stats.

- h. In Criminal Matters:**
 - Direct a case to the proper court for entry of a plea after an intelligent waiver of rights.
 - Issue summonses, arrest warrants, and search warrants, determine probable cause to support a warrantless arrest, conduct initial appearances of persons arrested, and set bail.
 - Inform defendants of their rights under §§970.02(1) and (6), Wis. Stats.
 - Refer defendants who appear or claim to be indigent to the State Public Defender for indigency determinations.
 - Conduct preliminary examinations and arraignments, and with the consent of the parties, accept guilty pleas (circuit court commissioners serving on a full time basis only).
 - Conduct restitution hearings under §973.20(13)(c)4, Wis. Stats.

- i. In the following Miscellaneous Matters:**
 - Conduct inquests under Ch. 979, Wis. Stats.
 - Issue warrants and capiases for those who do not appear as summoned.
 - Conduct hearings and issue orders on petitions under §173.23(3), Wis. Stats.
 - When referred by the circuit court:
 - Try questions of fact requiring the examination of accounts and report upon specific issues of fact involved in those matters.
 - Try questions of fact arising other than upon the pleadings.
 - Prepare proposed findings of fact and conclusions of law pertaining to default mortgage and land contract foreclosures and mechanic's liens.

Chief Judge Appointment/Authorization under SCR 75.02:

Chief Judge Signature	District No.	Date